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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8

9 STEEL SUPPLEMENTS, INC., a Florida
10 Corporation,

11 Plaintiff,

12 v.

13 BLITZ NV, LLC, a Nevada limited liability
Company,

14 Defendant.
15
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Case No. 2:22-cv-00020-GMB-BNW
Converted from Case: 2:22-ms-00001
Transferred to Florida Case No. 8:22-
cv-444-WFJ-CPT)

**EMERGENCY MOTION FOR
RELIEF FROM COURT'S MINUTE
ORDER [ECF NO. 31] TO UNSEAL
ECF NO. 2**

ORAL ARGUMENT REQUESTED

17 Non-Party, Ignite International, Ltd. ("Ignite"), by and through its undersigned
18 attorneys of record, the law firm of Flangas Law Group, hereby requests that this Court
19 correct its Minute Order [ECF No. 31] and direct the Clerk to keep ECF No. 2 under seal.

20 This Motion is made on an emergency basis as the Court inadvertently has ordered
21 the unsealing of document subject to a sealing order of the Court to which this matter was
22 transferred in the Middle District of Florida [ECF No. 39], Case No. 8:22-cv-00444-WFJ-
23 CPT.
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1 This Motion is based on upon all papers, pleadings, and records on file herein, the
2 attached Memoranda of Points and Authorities, and any oral argument allowed at a hearing
3 on this matter

4 Dated this 21st day of April, 2021.

5 **FLANGAS LAW GROUP**

6 /s/Kimberly P. Stein

7 KIMBERLY P. STEIN, ESQ. (NBN 8675)

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10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 **I. INTRODUCTION AND SUMMARY**

12 On March 2, 2022, this Court granted a Motion to Transfer in this Matter [ECF
13 No. 27]. Thereafter, this Court through Minute Order on March 3, 2022 [ECF No. 28]
14 directed that this case be transferred to the Middle District of Florida (Tampa). This matter
15 in Nevada was closed on March 4, 2022 when the matter was transmitted to the Middle
16 District of Florida [ECF No. 29].

17 While this Court in Nevada on March 2, 2022, through minute order [ECF No. 26],
18 prior to ordering this this matter being transferred on the same day, denied Plaintiff's
19 Original Motion to Seal and further ordered that Ignite must file a motion to seal Plaintiff's
20 motion to compel and exhibits (if it so desires) within 30 days, the Court closed this case
21 and transferred the matter the same day. As such, Ignite timely filed its Motion in the
22 Middle District of Florida [ECF No. 38] to keep sealed Plaintiff Steel Supplements, Inc.'s
23 ("Plaintiff") Motion to Compel and to Transfer Motion Pursuant to Rule 45(f) ("Motion to
24 Compel") filed under seal at ECF No 2 in accordance with Rule 5.2 of the Federal Rules
25 of Civil Procedure and Local Rule 1.11(d).

26 Ignite's Motion to Seal was granted by the Middle District of Florida [ECF No. 39]
27 on March 16, 2022. Yet, by oversight or mistake, this Court apparently through Minute
28 Order on April 20, 2022 [ECF No. 31] ordered the documents already sealed under ECF

No. 39 to be unsealed, stating that no motion had been filed. Ignite belies this was just an oversight of this Court as the matter was closed in Nevada upon transfer. However, this matter must be corrected immediately to ensure sealed documents remain as such.

II. ARGUMENT

FRCP 60(a) provides for relief from a Order to correct “a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record.” Further, FRCP 60(a) provides that the Court may do so on motion or on its own, with or without notice. FRCP 60(b)(1) further provides for relief from an Order due to mistake.

Thus in this matter, the Court’s Minute Order appears to be an unfortunate oversight by the Court, as upon transfer, the docket remained, and now there are two ECF No. 31s. Moreover, this Court’s Orders were followed, and as such, the matter must remain sealed and ECF No. 31 must be vacated.

III. CONCLUSION

For the foregoing reasons, Ignite respectfully requests that this Court its Motion as soon as possible to avoid the unsealing of documents already ordered to be sealed.

Dated this 21st day of April, 2021.

IT IS ORDERED that the Clerk of Court is kindly directed to temporarily seal ECF No. 2 and its exhibits.

IT IS FURTHER ORDERED that Ignite must file a supplemental brief by 5/5/2022 explaining (with reference to legal authority) why this Court may not enforce its prior order (ECF No. 26) or determine which documents may be sealed in this District.

Alternatively, Ignite may submit a supplemental brief by 5/5/2022 explaining what good cause exists to seal ECF No. 2.

IT IS FURTHER ORDERED that any response to Ignite’s supplemental brief is due by 5/19/2022, and a reply is due by 5/26/2022.

FLANGAS LAW GROUP

/s/Kimberly P. Stein

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IT IS SO ORDERED

DATED: 2:35 pm, April 21, 2022



BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on April 21, 2021, that I electronically filed using the CM/ECF system and mailed a true and correct copy of the foregoing EMERGENCY MOTION FOR RELIEF FROM COURT'S MINUTE ORDER [ECF NO. 31] TO UNSEAL ECF NO. 2. to:

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